

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: Antione Myron Glascoe v. United States
Criminal No. PJM 12-132-1 (related to Civil No. PJM 15-2423)

DATE: August 14, 2015

On July 30, 2015, appointed counsel for Glascoe filed a “Second Supplemental Memorandum” in support of Glascoe’s First Motion to Vacate, ECF No. 64. In addition to discussing the ineffective assistance of counsel claim that was the subject of Glascoe’s First Motion to Vacate, (which the Court denied today, *see* ECF No. 70), the Second Supplemental Memorandum also raised grounds for relief under 28 U.S.C. § 2255 concerning the propriety of the Court’s use of Glascoe’s prior convictions to enhance his sentence, in light of recent United States Supreme Court decisions. These grounds for relief were not raised in either Glascoe’s First Motion to Vacate, ECF No. 44, or his filings attendant thereto, ECF Nos. 47, 53.

The Court has construed this Second Supplemental Memorandum, ECF No. 64, as a Second Motion to Vacate Sentence under 28 U.S.C. § 2255, has severed it from Civil No. 14-314 and assigned it Civil No. 15-2423, and has deemed it filed July 30, 2015. *See* ECF No. 71

The Government’s Response to the Second Motion to Vacate Sentence shall be due September 21, 2015. Petitioner’s Reply shall be due October 26, 2015.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

cc: Court File